

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO  
ALBUQUERQUE DIVISION**

GENERAL PROTECHT GROUP, INC., f/k/a  
ZHEJIANG DONGZHENG ELECTRICAL,  
CO.; G-TECHT GLOBAL CORPORATION;  
SECURELECTRIC CORPORATION;  
WAREHOUSE-LIGHTING.COM LLC;  
CENTRAL PURCHASING, LLC; and  
HARBOR FREIGHT TOOLS USA, INC.,

Plaintiffs,

v.

LEVITON MANUFACTURING CO., INC.,

Defendant.

Civ. No. 10-cv-01020-JB-LFG

**DEFENDANT LEVITON MANUFACTURING CO., INC.'S  
MOTIONS FOR CLARIFICATION AND STAY OF PRELIMINARY  
INJUNCTION AND REQUEST FOR EXPEDITED CONSIDERATION**

Defendant Leviton Manufacturing Co., Inc. (“Leviton”) moves, on an expedited basis, for (1) a clarification of the order granting Plaintiffs’ motion for a preliminary injunction (Dkt No. 41) (“PI Order”), (2) a stay of the PI Order pending appeal or, alternatively, until the U.S. Court of Appeals for the Federal Circuit can decide a motion for a stay of the PI Order, and (3) expedited briefing of these issues (“Motions”). Leviton seeks a clarification that the PI Order is no broader than what Plaintiffs requested. That is, Leviton seeks clarification that the PI Order requires only dismissal of claims against Plaintiff premised on GFCI products made by General Protecht Group, Inc., not *any* manufacturer. In addition, Leviton cannot unilaterally dismiss claims against the Plaintiffs in the ITC Investigation, but can only move to withdraw its claims against Plaintiffs. With respect to the stay, Leviton respectfully requests a stay of the PI Order

pending appeal or alternatively, a stay pending the Federal Circuit's decision on a motion to stay, which Leviton intends to file promptly if this Court denies its motion to stay pending appeal.

The grounds for the Motions are set forth in the concurrently filed memorandum in support of the Motions and the Declaration of Shaun R. Snader. Proposed orders will be submitted separately to [jobproposedtext@nmcourt.fed.us](mailto:jobproposedtext@nmcourt.fed.us).

Leviton contacted Plaintiffs to determine whether they will oppose these Motions, and Plaintiffs stated that they will oppose.

Dated: December 1, 2010

Respectfully submitted,

/s/ Emil J. Kiehne

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**CERTIFICATE OF SERVICE**

I hereby certify that on December 1, 2010, I filed the foregoing document electronically through the CM/ECF System, which caused the following counsel for the parties to be served by electronic means, as more fully reflected on the Notice of Electronic Filing:

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